

JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	Charles Clendenning ;)	PATENT APPLICATION
	Brain L. Launder)	
)	
Serial No.:	10/828,704)	Group Art Unit: 3671
)	
Filed:	April 21, 2004)	Examiner: Unknown
)	
For:	WINGED DIGGING TOOTH)	Confirmation No.:5379

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, the information identified on the attached INFORMATION DISCLOSURE STATEMENT BY APPLICANT, a copy of which information is enclosed, may be helpful to the Patent and Trademark Office during examination of the above-identified patent application.

The listing of the information on the attached INFORMATION DISCLOSURE STATEMENT BY APPLICANT is not to be construed as an assertion that more pertinent information could not possibly be in existence. The order of listing of the information on the attached INFORMATION DISCLOSURE STATEMENT BY APPLICANT should not be construed as an indication of the importance of the listed information. The subject matter of the information listed on the INFORMATION DISCLOSURE STATEMENT BY APPLICANT is apparent from the disclosure in the cited information. Copies of all the information listed is attached.

The cited information discloses numerous specific features. There has been no attempt to list each and every feature disclosed by and in the cited information. The Examiner, however, is respectfully requested to review the cited information and determine the materiality of the disclosure within the reference relative to the patentability of the subject invention.

The citation of the information herein is not to be construed as an admission that the

In Re Application Of:

C. Clendenning;


B. L. Launder

Serial No.: 10/828,704

Page 2

disclosure contained in such information is necessarily within the field of endeavor of the subject invention, that the disclosure in such cited information is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any particular disclosure contained in the information is otherwise necessarily prior art as defined by United States patent laws with respect to the instant invention and application.

Respectfully submitted,

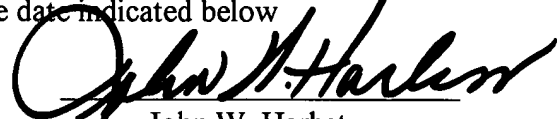

John W. Harbst
Attorney of Record

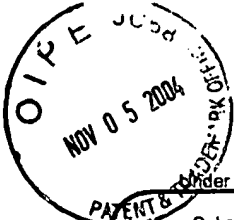
1180 Litchfield Lane
Bartlett, Illinois 60103
(630) 289-4839

CERTIFICATE OF MAILING

I hereby certify that the attached Information Disclosure Statement and information cited therein are being enclosed in an envelope being deposited with the United States Postal service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450; Alexandria, Virginia 22313-1450, on the date indicated below

Date: November 2, 2004


John W. Harbst



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/828,704
Filing Date	April 21, 2004
First Named Inventor	CLENDENNING, Charles
Art Unit	3671
Examiner Name	Unknown
Attorney Docket Number	30495.00.056

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 1,009,254	11/21/1911	C. L. McKenzie	
	AB	US- 1,796,737	03/17/1931	L. W. Van Buskirk	
	AC	US- 1,843,205	02/02/1932	J. O'F. Clark	
	AD	US- 1,959,847	05/22/1934	L. W. Van Buskirk	
	AE	US- 2,005,016	06/18/1935	L. W. Van Buskirk	
	AF	US- 2,623,309	12/30/1952	R. G. Frye	
	AG	US- 3,888,028	06/10/1975	K. M. White	
	AH	US- 3,947,982	04/06/1976	T. Mantovani	
	AI	US- 4,083,605	04/11/1978	M. A. College, et al	
	AJ	US- 4,117,611	10/03/1978	C. W. Hemphill	
	AK	US- 4,208,816	06/24/1980	D. J. West	
	AL	US- 4,317,299	03/02/1982	F. C. Funk	
	AM	US- 4,329,798	05/18/1982	G. D. Edwards	
	AN	US- 5,188,680	02/23/1993	F. C. Hahn, et al.	
	AO	US- 5,499,686	03/19/1996	P. D. Parker	
	AP	US- 6,070,345	06/06/2000	T. Akaki, et al.	
	AQ	US- D190,335	05/16/1961	H. G. Livermore	
	AR	US- D207,451	04/18/1967	W. W. Wilson	
	AS	US- D207,448	04/18/1967	W. W. Wilson	

FOREIGN PATENT DOCUMENTS

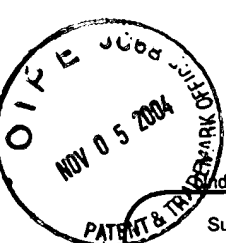
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2**Complete if Known**

Application Number	10/828,704
Filing Date	April 21, 2004
First Named Inventor	CLENDENNING, Charles
Art Unit	3671
Examiner Name	Unknown
Attorney Docket Number	30495.00.056

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	BA	US- D243,843	03/29/1977	G. D. Edwards	
	BB	US- D285,691	09/16/1986	W. M. Johnson	
	BC	US- D354,291	01/10/1995	G. D. Edwards	
	BD	US- D411,546	06/29/1999	T. G. Chapman	
	BE	US- D415,173	10/12/1999	R. D. Zaun	
	BF	US- D415,773	10/26/1999	T. G. Chapman	
	BG	US- D429,257	08/08/2000	R. D. Zaun	
	BH	US- D429,258	09/08/2000	R. D. Zaun	
	BI	US- 2003/0010157A1	01/16/2003	D. G. Bruce	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.